

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

SUSAN HERBERT,

Plaintiff,

vs.

JOHN ROBERTS,

Defendant.

No. C09-4092-MWB

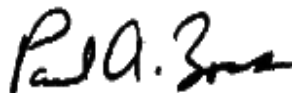
ORDER

On December 4, 2009, the plaintiff filed an application to proceed *in forma pauperis* in this action. (Doc. No. 1) In her proposed Complaint, the plaintiff has failed to allege sufficient facts to demonstrate that the court has jurisdiction over this matter. Further, she has failed to state facts sufficient for this court to make a determination as to whether or not she has stated an arguable basis for relief in law or in fact.

Accordingly, the application is **denied**, and this case is **dismissed without prejudice**. See 28 U.S.C. § 1915(a)(1) & (e)(2)(B).

IT IS SO ORDERED.

DATED this 31st day of December, 2009.



PAUL A. ZOSS
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT